

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

DUSTYN KING,)
)
 Plaintiff,)
)
 vs.) NO. CIV-20-0413-SM
)
 ANDREW SAUL,)
 COMMISSIONER OF SOCIAL)
 SECURITY,)
)
 Defendant.)

ORDER

In this action, plaintiff seeks judicial review of the final decision of defendant Andrew Saul, Commissioner of Social Security. On May 12, 2020, U.S. Magistrate Judge Suzanne Mitchell issued a Report and Recommendation recommending the court grant in part and deny in part Plaintiff's Application to Proceed in District Court without Prepaying Fees or Costs and plaintiff pay \$25.00 per month toward the filing fee. Plaintiff was advised of his right to object to the Report and Recommendation by June 2, 2020.

Plaintiff did not object to the Report and Recommendation. Therefore, plaintiff has waived his right to appellate review of the factual and legal issues it addressed. *See Cassanova v. Ulibarri*, 595 F.3d 1120, 1123 (10th Cir. 2010). Accordingly, the court **ADOPTS** Magistrate Judge Mitchell's Report and Recommendation [Doc. #6], **GRANTS IN PART and DENIES IN PART** plaintiff's Application to Proceed in District Court without Prepaying Fees or Costs [Doc. #2], and **ORDERS** plaintiff to pay \$25.00 per month toward the filing fee in this matter until the filing fee is paid in full. Plaintiff shall

make her first \$25.00 payment on or before July 1, 2020. Thereafter, plaintiff shall pay \$25.00 on or before the first day of each month. Failure to pay the filing fee as directed may result in this matter being dismissed pursuant to the Federal Rules of Civil Procedure. Further, the Court Clerk shall not issue process until at least \$100 has been paid toward the filing fee in this matter.

IT IS SO ORDERED.

Dated this 8th day of June, 2020.



JOE HEATON
UNITED STATES DISTRICT JUDGE